

## **Summary paper for Audit Committee**

### **Corporate Manslaughter and Health, Safety and Wellbeing**

The Council has a duty of care in ensuring the health, safety and wellbeing of its employees, contractors, clients, service users and members or the public as well as legislative responsibilities to these people under the Health and Safety at Work Act and subsequent regulations. To fulfil its duties and corporate governance responsibilities, the Council has a structure of devolved management which gives a commitment to upholding safety standards and clearly demonstrates levels of accountability in mitigating any possible Corporate Manslaughter prosecution.

In line with this, health, safety and wellbeing activities are also delegated to encourage and enable these issues to be addressed at a local level wherever possible. However, although health and safety management is devolved for practical purposes, the overall responsibility for health and safety of the authority's employees, and others affected by our work activities, rests with the Chief Executive.

Group Directors, Directors, Heads of service, line managers and supervisors play a key role in managing health and safety, and in maintaining and improving standards. The Council employs a Health, Safety and Wellbeing Team to support the organisation by giving competent advice on achieving legislative compliance and appropriate safety standards.

All managers and employees have a legal duty to take reasonable care of their own health and safety and for the safety of other people who may be affected by their actions. Every employee must co-operate with the Council to enable all statutory duties to be complied with.

The Corporate Health, Safety and Wellbeing Policy and its accompanying health and safety policies and procedures apply to all Council activities and workplaces. Compliance with this range of policies and related standards is mandatory and subject to periodic audit by the Health, Safety and Wellbeing team. Details of performance are presented to leadership teams and joint safety committees. Where serious non-compliances are identified, these are escalated within the management chain.

### **High level summary of improvement activities**

Following the Corporate Manslaughter audit, a number of improvements have been made to the governance of health, safety and wellbeing at Swindon Borough Council. These include:

- The development of an annual Health, Safety and Wellbeing Plan, which has been endorsed by Operations Board and identifies key roles and responsibilities within the organisation. Progress against the targets within the plan will be reviewed at Operations Board.
- Operations Board receiving quarterly Health, Safety and Wellbeing updates.

- A training session being scheduled this month for Group Directors, Directors and cabinet members to give an overview on Corporate Manslaughter/health and safety legislation and the management of key risks within Swindon Borough Council.
- Health, Safety and Wellbeing risks being identified through Corporate and Service area risk registers. The registers identify areas of concern and how these are being managed and mitigated.
- A scrutiny forum including senior managers, trade unions and councillors (Joint Safety Committee) which receives quarterly updates from Service Areas on how they are managing and controlling key risks.
- The development of a revised 'Health, Safety and Wellbeing Policy' and 'Responsibilities for Managing Health and Safety Policy' which gives clarity on our management of safety issues and responsibilities of staff at all levels.

Please refer to the attached Annual Health and Safety Plan which gives an overview of how health, safety and wellbeing is being managed and monitored within the organisation

**Amanda Woodhead, Head of Health, Safety and Wellbeing**  
**7 September 2010**